

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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KENNETH E. SAVAGE, JR.,

Plaintiff,

v.

FEDERAL EXPRESS CORPORATION  
d/b/a FEDEX EXPRESS, FEDEX  
CORPORATION EMPLOYEES'  
PENSION PLAN; FEDEX  
CORPORATION RETIREMENT  
SAVINGS PLAN,

Defendants.

Case No. 2:14-cv-02057-STA-dkv

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**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE OF PLAINTIFF'S  
CLAIM RELATED TO THE FEDEX CORPORATION RETIREMENT SAVINGS PLAN**

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Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated, upon agreement of the parties, the claim that Defendants failed to impute, calculate and contribute to the FedEx Corporation Retirement Savings Plan, which is a 401k plan, on behalf of, and for the benefit of, Plaintiff shall be and is hereby dismissed with prejudice. Plaintiff is not dismissing any other claim, including the 38 U.S.C. §§ 4311, 4318 claims related to the traditional benefit plan and portable pension account, asserted in his Amended Complaint.

**IT IS SO ORDERED** this the \_\_\_\_\_ day of August, 2015.

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HON. S. THOMAS ANDERSON  
UNITED STATES DISTRICT JUDGE

AGREED:

s/ Joseph A. Napiltonia

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